

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Dennis Himmelberger, on March 6, 2009 at 9:01 A.M., in Room 455 Capitol

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Sue Dickenson, Vice Chairman (D)
Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Russell Bean (R)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Ted Washburn (R)

Members Excused: Rep. Dee Brown (R)
Rep. Franke Wilmer (D)

Members Absent: Rep. Tony Belcourt (D)
Rep. Mary Caferro (D)
Rep. Mike Phillips (D)
Rep. Kendall Van Dyk (D)

Staff Present: Sheri Heffelfinger, Legislative Branch
Marshall McEwen, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 20, SB 331, SB 391, 3/2/2009

Executive Action: SB 391, SB 331, SB 49, SB 243,
SB 196

HEARING ON SB 391

Opening Statement by Sponsor:

00:01:25 Sen. John Brueggeman (R), SD 6, opened the hearing on
SB 391, Revise provisions on candidate withdrawal
before primary.

00:02:34 Rep. Caferro, Rep. Brown, and Belcourt entered the
room.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:02:58 Sen. Brueggeman

00:03:00 Chairman Himmelberger

EXECUTIVE ACTION ON SB 391

00:03:21 **Motion/Vote:** Rep. Hendrick moved that **SB 391 BE TABLED.**
Motion carried unanimously by voice vote.

HEARING ON SB 331

Opening Statement by Sponsor:

00:03:48 Sen. Joe Balyeat (R), SD 34, opened the hearing on
SB 331, Revise laws on criminal use of official
position.

EXHIBIT(sth50a01)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:07:54 Rep. Dickenson
00:08:20 Sen. Balyeat
00:09:10 Rep. Ingraham
00:09:31 Sen. Balyeat
00:11:01 Chairman Himmelberger

Closing by Sponsor:

00:11:04 Sen. Balyeat
00:11:14 Rep. Phillips entered the room.
00:11:31 Chairman Himmelberger

HEARING ON SB 20

Opening Statement by Sponsor:

00:11:40 Sen. Larry Jent (D), SD 32, opened the hearing on
SB 20, Purpose statement for MAPA.

Proponents' Testimony:

00:17:48 Ann Brodsky, Chief Legal Counsel, Governor's Office
00:22:31 Mark Cadwallader, Staff Attorney, Montana Department
of Labor and Industry

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:23:03 Rep. Brown
00:23:50 Sen. Jent
00:25:58 Chairman Himmelberger

Closing by Sponsor:

00:26:02 Sen. Jent
00:26:05 Rep. Phillips exited the room.
00:27:01 Chairman Himmelberger

EXECUTIVE ACTION ON SB 331

00:29:44 **Motion/Vote:** Rep. Brown moved that **SB 331 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Phillips, Rep. Van Dyk, and Rep. Wilmer voted by proxy. Rep. MacLaren will carry the bill in the House.

00:30:28 Chairman himmelberger

EXECUTIVE ACTION ON SB 49

00:31:49 **Motion:** Rep. Ingraham moved that **SB 49 BE CONCURRED IN.**

Discussion:

00:31:52 Chairman Himmelberger

00:32:01 Rep. Brown

00:33:20 **Motion:** Rep. Ingraham moved that **SB 49 BE AMENDED.**
EXHIBIT(sth50a02)

Discussion:

00:33:59 Chairman Himmelberger

00:34:09 Rep. Phillips entered the room.

00:34:18 Rep. Washburn

00:34:40 Chairman Himmelberger

00:34:45 Rep. Washburn

00:35:00 Ms. Heffelfinger, Legislative Services Division

00:35:46 **Vote:** Motion carried unanimously by voice vote. Rep.
Van Dyk and Rep. Wilmer voted by proxy.

00:36:09 **Motion:** Rep. Ingraham moved that **SB 49 BE CONCURRED IN**
AS AMENDED.

Discussion:

00:36:15 Chairman Himmelberger

00:37:03 Ms. Heffelfinger

00:37:31 Chairman Himmelberger

00:37:57 Rep. Phillips

00:38:48 Rep. Brown

00:39:17 Rep. Dickenson

00:40:15 Rep. Ingraham

00:41:32 Chairman Himmelberger

00:42:25 Rep. Hands

00:46:49 Rep. Brown

00:47:45 Rep. Boniek

00:48:42 Rep. Hands

00:50:16 **Vote:** Motion carried 17-1 by voice vote with Rep.
Ingraham voting no. Rep. Van Dyk and Rep. Wilmer voted
by proxy. Rep. Hands will carry the bill in the House.

00:50:40 Chairman Himmelberger

EXECUTIVE ACTION ON SB 243

00:51:08 **Motion:** Rep. Belcourt moved that **SB 243 BE CONCURRED IN.**

Discussion:

00:51:12 Chairman Himmelberger
00:51:35 Rep. Hands exited the room.
00:51:40 Rep. Philips
00:54:35 Chairman Himmelberger
00:55:09 Rep. Phillips
00:57:23 Chairman Himmelberger
00:57:39 Rep. Washburn
00:58:53 Rep. Boniek
00:59:17 Chairman Himmelberger
00:59:30 Rep. O'Hara
01:00:18 Rep. Dickenson
01:01:42 Rep. Brown
01:02:08 Rep. Phillips
01:03:04 Chairman Himmelberger

01:03:09 **Vote:** Motion failed 7-11 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Himmelberger, Rep. MacLaren, and Rep. Washburn voting aye. Rep. Hands, Rep. Van Dyk, and Rep. Wilmer voted by proxy.

01:04:12 Chairman Jopek

01:04:16 **Motion/Vote:** Rep. Malek moved that **SB 243 BE TABLED.** Motion carried 16-2 by voice vote with Rep. Malek voting no. Rep. Hands, Rep. Van Dyk, and Rep. Wilmer voted by proxy.

01:04:48 Rep. Dickenson
01:05:07 Chairman Himmelberger

EXECUTIVE ACTION ON SB 196

01:05:22 **Motion:** Rep. Belcourt moved that **SB 196 BE CONCURRED IN.**

Discussion:

01:05:26 Chairman Himmelberger
01:05:43 Rep. Belcourt
01:06:29 Rep. Brown
01:07:09 Rep. Bean

01:07:33 Rep. Boss Ribs
01:07:53 Rep. Ingraham
01:10:03 Rep. Malek
01:11:32 Rep. Phillips exited the room.
01:11:52 Rep. Belcourt
01:13:31 Rep. Boniek

01:14:29 **Vote:** Motion carried 11-7 by roll call vote with Rep. Bean, Rep. Brown, Rep. Hendrick, Rep. Himmelberger, Rep. Ingraham, Rep. MacLaren, and Rep. O'Hara voting no. Rep. Hands, Rep. Philips, Rep. Van Dyk, and Rep. Wilmer voted by proxy. Rep. Belcourt will carry the bill in the House.

Committee Discussion:

01:15:44 Chairman Himmelberger
01:15:50 Rep. Phillips entered the room.
01:16:25 Ms. Heffelfinger
01:16:27 Rep. Caferro and Rep. O'Hara exited the room.
01:16:44 Rep. Brown
01:16:55 Rep. Malek
01:17:04 Chairman Himmelberger
01:17:23 Rep. Brown
01:17:30 Chairman Himmelberger
01:17:56 Rep. Brown
01:18:29 Chairman Himmelberger
01:18:50 Rep. Ingraham
01:18:57 Chairman Himmelberger

01:19:16 **Motion/Vote:** Rep. Ingraham moved to introduce LC 2311 requesting that an appropriate interim or statutory committee be designated to study wildland fire suppression. Motion carried unanimously by voice vote. Rep. Caferro, Rep. Hands, Rep. Phillips, Rep. Van Dyk, and Rep. Wilmer voted by proxy.

01:20:07 Chairman Himmelberger
01:20:16 Ms. Heffelfinger
01:20:39 Rep. Ingraham
01:20:52 Ms. Heffelfinger
01:22:03 Chairman Himmelberger
01:23:02 Rep. Malek
01:23:08 Chairman Himmelberger
01:23:26 Rep. Ingraham
01:23:55 Chairman Himmelberger
01:24:23 Ms. Heffelfinger
01:25:23 Rep. Brown
01:25:38 Chairman Himmelberger
01:26:08 Rep. Malek

01:26:37 Ms. Heffelfinger
01:28:26 Rep. Malek
01:28:54 Chairman Himmelberger
01:29:12 Rep. Brown
01:29:38 Chairman Himmelberger
01:30:40 Rep. Dickenson
01:31:01 Chairman Himmelberger
01:31:43 Rep. Dickenson
01:32:17 Ms. Heffelfinger
01:33:04 Chairman Himmelberger
01:33:07 Rep. Bean
01:33:16 Chairman Himmelberger
01:33:52 Ms. Heffelfinger
01:34:20 Chairman Himmelberger

ADJOURNMENT

01:34:57 Adjournment: 10:36 a.m.

Marshall McEwen, Secretary

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Additional Exhibits:

EXHIBIT(sth50a03) Unofficial Draft Copy of LC 2311

EXHIBIT(sth50a04) Information Pertaining to SB 187

EXHIBIT(sth50a05) Information Pertaining to SB 187 from John
MacMaster

Additional Documents:

EXHIBIT(sth50aad.pdf)